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URBIS

NORTH SHORE MIXED USE PRECINCT

Change Application at 30-38
North Shore Boulevard, 6-10
Market Street & 1/6 Market
Street Burdell QLD 4818

Prepared for
ONEFIN BURDELL PTY LTD
6 September 2024

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We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

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EXECUTIVE SUMMARY

SITE AND PROPOSAL DETAILS

Key Information	Proposal Detail
Address of Site	30-38 North Shore Boulevard, 6-10 Market Street & 1/6 Market Street Burdell QLD 4818
Real Property Description	Lot 850 on SP240571 Lot 843 on SP233011 Lot 2844 on SP253500
Total Site Area	19,427m ²
Local Government Area	Townsville City Council
Planning Scheme	Townsville City Plan (<i>version 2022/02</i>)
Zone and Precinct	Emerging Community (Burdell Precinct)
Plan of Development	North Shore Plan of Development (Commercial Planning Area)
Proposal Details	Other Change for Commercial Premises, Indoor Entertainment, Medical Centre, Shop, Tyre Supply, Repair and Fitting and Vehicle Repair Workshop.
Land Owner's Details	<i>OneFin Burdell Pty Ltd A.C.N. 648 713 419</i>

DEVELOPMENT DETAILS

Approval Sought	Other Change to an Existing Development Approval
Existing Development Approval	MCU22/0033.04
Application Description	The proposed Other Change application seeks to include an additional land use to the existing approval, being Commercial Premises, Indoor Entertainment, Medical Centre, Shop, Tyre Supply, Repair and Fitting and Vehicle Repair Workshop.
Category of Assessment	Impact Assessment

APPLICANT DETAILS

Applicant	Urbis Contact Details	Urbis Reference Number
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1. INTRODUCTION

Urbis Ltd has prepared this development application on behalf of *OneFin Burdell Pty Ltd* ('the Applicant') in relation to land at 30-38 North Shore Boulevard, 6-10 Market Street & 1/6 Market Street, Burdell QLD 4818, formally described as Lot 850 on SP240571, Lot 843 on SP233011, and Lot 2844 on SP253500 (referred herein as 'the site').

The Change Application seeks to alter the existing Development Approval over the site to introduces a range of new land uses to the site, within the 'Showroom' portion of the approved development, to provide greater flexibility to the Applicant and future tenants. The proposed development generally operates in a similar manner to the approved development.

The existing development approval was granted by Townsville City Council on 29 August 2024 (Council Reference: MCU22/0033.04) (refer to **Appendix C**).

This Town Planning report is prepared on the basis the application is an 'Other Change' application under section 78 and 82 of *The Planning Act 2016*. In accordance with Section 82(2)(a) of the Planning Act, this report addresses the merits of the changes with regards to the assessment benchmarks of the *Townsville City Plan* ('City Plan') and North Shore Plan of Development only to the extent the assessment benchmarks are relevant to assessing the change application in the context of the existing Development Approval. This report demonstrates the proposed development substantially complies with the relevant assessment benchmarks and should therefore be approved, subject to reasonable and relevant conditions.

This report is accompanied by, and should be read in conjunction with, the following drawings and technical reports:

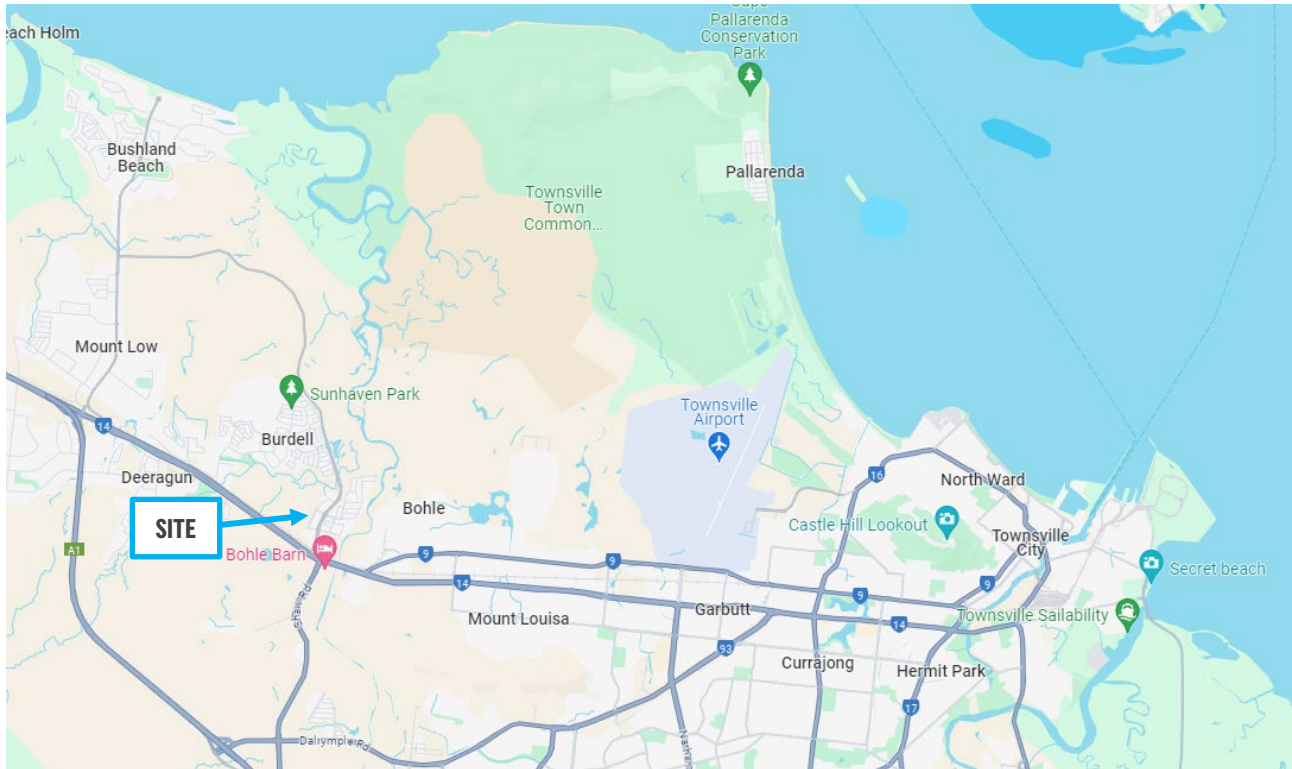
- **Appendix A** – Property Searches;
- **Appendix B** – Land Owner's Consent;
- **Appendix C** – Existing Development Approval;
- **Appendix D** – SDAP and SPP Checklists;
- **Appendix E** – Assessment Benchmark Responses;
- **Appendix F** – Architectural Plans; and
- **Appendix G** – Traffic Impact Assessment.

2. THE SITE AND SURROUNDS

2.1. SITE CONTEXT

The site is located within the suburb of Burdell, a transitioning outer suburb of Townsville. The site is referred to as 30-38 North Shore Boulevard, 6-10 Market Street & 1/6 Market Street, Burdell. Within a broader context, it is situated approximately 12km east of Townsville Central Business District (CBD). The location and context of the site is illustrated in **Figure 1**.

Figure 1 – Site Location



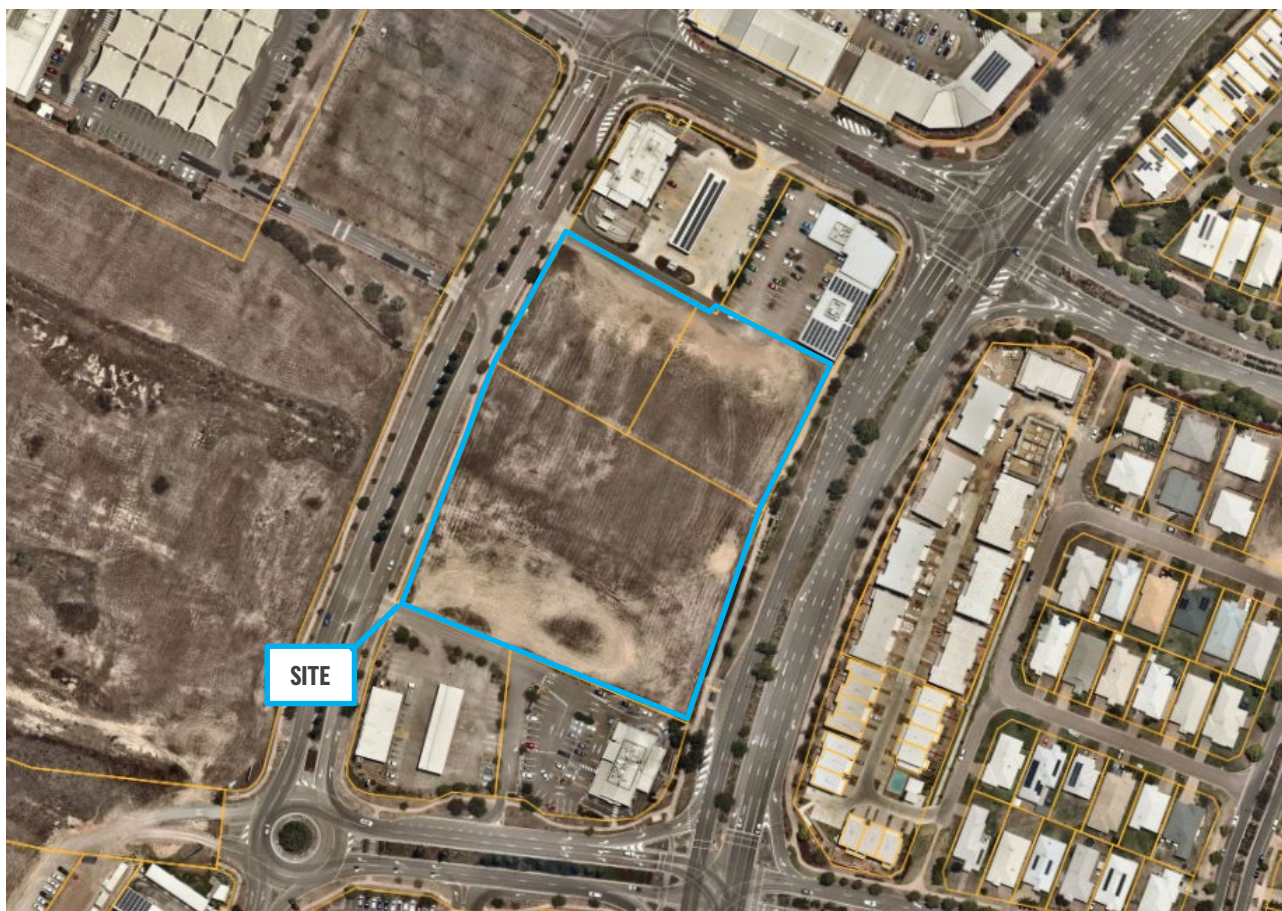
Source: Google Maps

2.2. SITE CHARACTERISTICS

The site is comprised of three (3) allotments, formally described as Lot 850 on SP2406571, Lot 843 on SP233011, and Lot 2844 on SP253500.

All three allotments are currently vacant and cleared of all vegetation. The current condition of the site is shown in **Figure 2**.

Figure 2 – Aerial Photography



Source: Nearmap

2.3. SURROUNDING CONTEXT

Land uses immediately surrounding the site include:

- **North** – The adjoining property immediately north of the site contains a commercial tenancy for Strand Fitness North Shore and a 7-Eleven service station. Further north are more commercial tenancies and the Northern Beaches Leisure Centre.
- **East** – Immediately to the east, the site is adjoined by North Shore Boulevard. The site across this road is currently under construction for a townhouse development. Beyond is traditional low density residential development.
- **South** – Immediately to the south, the site is adjoined by a McDonald's and Ampol service station. Beyond these land uses is a Bunnings Warehouse, Car Wash and further, the Bruce Highway.
- **West** – Immediately to the west, the site is adjoined by Market Street. Across this street is vacant land that is cleared of all vegetation. Further west is North Shore Marketplace, which contains an array of retail and commercial offerings.

Photographs of the surrounding context of the site are included in **Figure 3** below.

Figure 3 – Site Photographs



Picture 1 – View south of the site showing McDonald's and Caltex

Source: Google Maps



Picture 2 – View south of the site showing Bunnings

Source: Google Maps



Picture 3 – View east of the site showing vacant land and beyond residential community

Source: Google Maps



Picture 4 – View west of the site showing vacant land and beyond Stockland Shopping Centre

Source: Google Maps



Picture 5 – View west of the site showing vacant land

Source: Google Maps



Picture 6 – View north of the site showing Strand Fitness and Medical Centre

Source: Google Maps

2.4. LAND OWNERSHIP AND ENCUMBRANCES

The site is comprised of three (3) freehold allotments, which are owned by the following property owner:

Site	Ownership
<ul style="list-style-type: none"> 30-38 North Shore Boulevard, Burdell (Lot 850 on SP240571) 6-10 Market Street, Burdell (Lot 843 on SP233011) 1/6 Market Street, Burdell (Lot 2844 on SP253500) 	OneFin Burdell Pty Ltd A.C.N. 648 713 419

There are two existing easements affecting the site. They are as follows:

1. Easement No 713248352 burdening the land to lots 841, 842 and 844 on SP233011 over easement U on SP233011.
2. Easement No 715307909 burdening the land to lot 2842 on SP253500 over easement T on SP253500.

The purpose of both easements is for access. They are shown below in **Figure 4**.

Figure 4 – Easements



Source: Queensland Globe

The site is not included on the Contaminated Land Register or the Environmental Management Register. Refer to the property search documents in **Appendix A** for reference.

3. EXISTING DEVELOPMENT APPROVAL

3.1. APPROVAL SUMMARY

The site benefits from a range of development approvals. The key approvals are summarised below.

3.1.1. Development Approval (MCU22/0033 & RAL22/0051)

On 30 March 2023, Townsville City Council issued approval by way of Negotiated Decision Notice for a Development Permit for a Material Change of Use for a Showroom, Child Care Centre (108 Children) and 2 x Fast Food Outlets with Drive Through Facilities combined with RAL22/0051 Lot Creation – Three Lots into Four Lots over the site (Council Ref: MCU22/0033 & RAL22/0051).

The key aspects of the approved development are as follows:

- Seven (7) Showroom tenancies, with a combined GFA of 4,306m²;
- 2 x Fast Food Outlets, with a combined GFA of 570m²;
- Child Care Centre (108 Children), with a GFA of 999m²;
- 177 car parks in a central open-air carpark; and
- Creation of four (4) allotments, varying between 1,843m² and 11,741m² in area.

The application was subject to Code Assessment and did not require referral to Concurrence Agencies or Advice Agencies.

3.1.2. Minor Change Approval (MCU22/0033.01)

On 19 September 2023, Townsville City Council approved a Minor Change application over the site, for changes to the internal reconfiguration of the approved Child Care Centre, which sought to improve the efficiency and climatic response of this land use. Of note, this approval increased the capacity of the Child Care Centre from 108 spaces to 120 spaces.

This approval did not seek to change or affect any other approved component of the development.

3.1.3. Other Change Application (MCU22/0033.04)

On 29 August 2024, Townsville City Council approved an Other Change application over the site, for the introduction of a Shopping Centre (Supermarket). This change did not significantly alter the approved building footprint and allowed the development to generally operate in a similar manner to the previously approved development. The change did result in a slight reduction in GFA.

A copy of this development approval is included within **Appendix C**.

This is the existing development approval over the site.

4. PROPOSAL

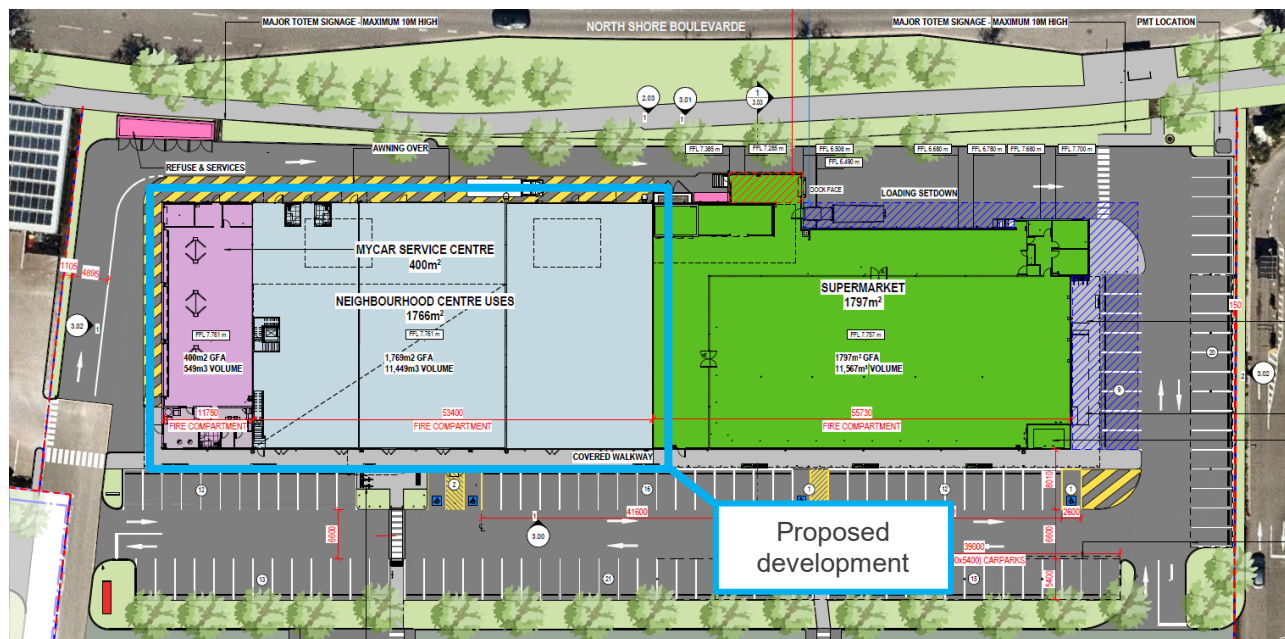
4.1. OVERVIEW OF PROPOSED CHANGES

This proposed development involves two (2) key changes, as follows:

- The establishment of six (6) new uses over the site; and
- Introduction of mezzanine level within the approved Showroom.

The new uses and mezzanine level are located within the approved built form, as illustrated in the proposed Site Plan detailed in **Figure 5** below. The details of the key components are detailed below.

Figure 5 – Proposed Site Plan



Source: Thomson Adsett

4.1.1. Additional Land Uses

The proposal seeks to introduce six (6) new land uses to the approved development, being Commercial Premises; Indoor Entertainment; Medical Centre; Shop; Tyre Supply, Repair and Fitting; and Vehicle Repair Workshop. These uses will complement the approved development and ensure a true mixed use development is provided on site.

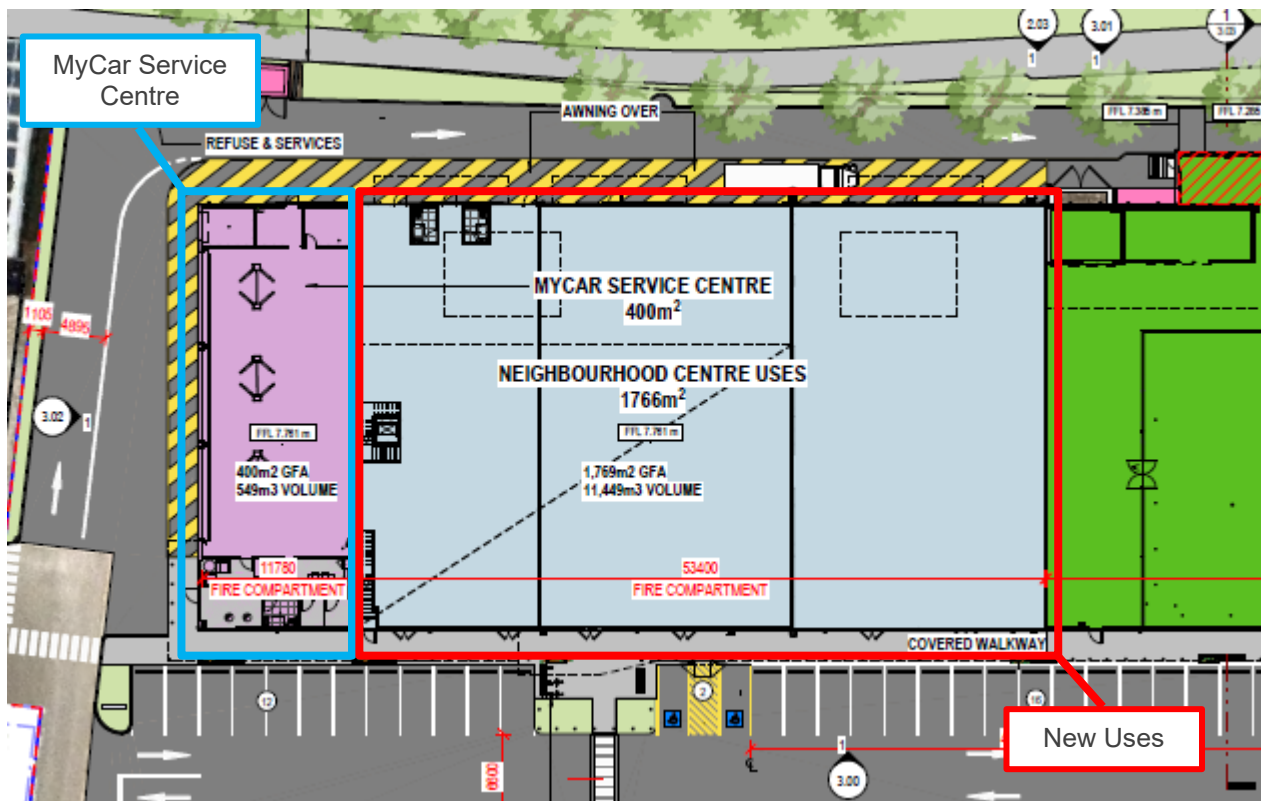
The proposal aims to provide the Applicant with maximum flexibility when tenancing the development. Therefore, at this stage, the location of these tenancies within the approved built form is not yet confirmed.

However, the Applicant has identified a specific location to establish a MyCar Service Centre (Tyre Supply, Repair and Fitting and Vehicle Repair Workshop) within the approved development. The location of this tenancy has been identified on the proposed plans, as shown in **Figure 6** below.

This tenancy is located on the north-eastern end of the approved Showroom building and has a GFA of 400m². The design of this tenancy includes several roller doors which provide access to the building for customer vehicles to be driven into the servicing/workshop space. The building will also include a small ancillary office space and waiting room for customers.

Please refer to the Architectural Plans in **Appendix F** for further information.

Figure 6 – Proposed Location of Additional Uses and MyCar Service Centre



Source: Thomson Adsett

4.1.2. Mezzanine Level

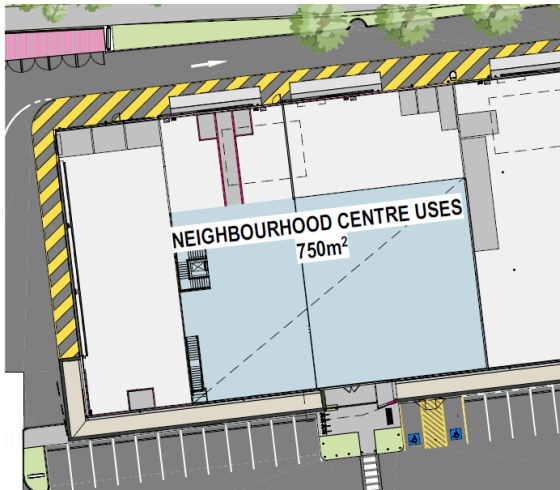
The proposal seeks to introduce a 750m² mezzanine level within the approved Showroom building.

Despite the inclusion of a mezzanine floor within the development, the approved built form remains largely unchanged. The proposal incorporates new windows along the internal frontage of the building, and otherwise maintains the approved built form.

The mezzanine level is accessible via stairs and lift, as shown in **Figure 7** below. This portion of the development is intended to be utilised as either a Showroom, or as one of the new land uses (Commercial Premises, Indoor Entertainment; Medical Centre; or Shop).

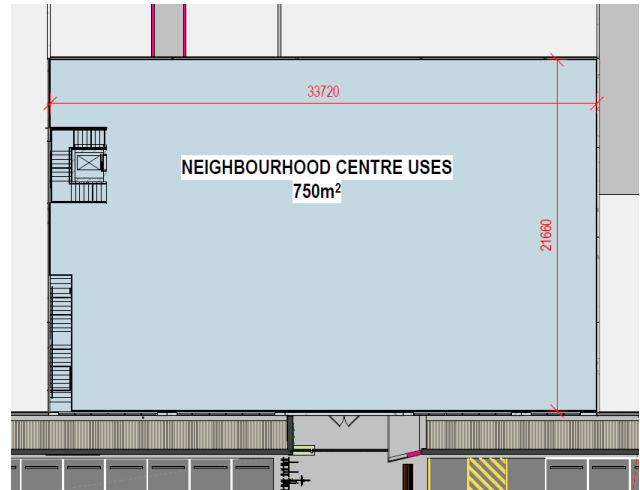
This aspect of the proposal has been designed to ensure the approved tenancies can function as approved, and that there is no impact on the overall function of the approved development. This is discussed further in **Section 4.3** of this report.

Figure 7 – Mezzanine Level



Picture 7 – Mezzanine Level Location

Source: Thomson Adsett



Picture 8 – Mezzanine Level Design

Source: Thomson Adsett

4.2. PROPOSAL DEVELOPMENT PARAMETERS

Table 1 below details the key development parameters

Table 1 – Summary of Development

Key Development Parameter	Proposed Development
Defined Land Uses	Commercial Premises, Indoor Entertainment, Medical Centre, Shop, Tyre Supply, Repair and Fitting and Vehicle Repair Workshop.
Gross Flood Area (GFA) (m ²)	<p>Total Proposed: 2,916m² (including 750m² <i>additional</i> GFA in mezzanine)</p> <ul style="list-style-type: none"> ▪ Neighbourhood Centre Uses: 2,516m² ▪ MyCar Service Centre: 400m²
Site Coverage	6,936m ² (36%)
Maximum Building Height	One (1) storey and maximum height of 10.39m
Car Parking	187 spaces (including PWD)
Motorbike Parking	5 spaces
Landscape	1,530m ²
Impervious Area	17,897m ²
Pedestrian and Vehicular Access	The proposed development maintains the pedestrian and vehicular access arrangements as outlined in the approved development (MCU22/0033.04). This approval sought to gain access to the external road network via three existing

Key Development Parameter	Proposed Development
	<p>accesses: two (2) crossovers to Market Street and one (1) crossover to Nexus Drive.</p> <p>The internal pedestrian pathways will be provided throughout the site and a pedestrian route will be established along the road frontages.</p> <p>These access arrangements are maintained within the current proposal.</p>

4.3. SPECIALIST REPORTING

4.3.1. Traffic Impact Assessment

A Traffic Impact Assessment has been prepared by Lambert & Rehbein and has been included in **Appendix G** of this report. The Traffic Impact Assessment outlines the existing approval over the site, the current application and the proposed development.

Due to the nature of the proposed development, and for the purpose of this assessment, the Traffic Impact Assessment has assumed the approved 'Showroom' may be wholly developed as a Medical Centre (although the intention is still to provide flexibility for tenanting). This use generates higher parking and traffic demands compared to the other proposed uses and has therefore been assessed in terms of potential impacts.

The proposed development requires a total of 197 parking spaces in accordance with the code. The proposed development provides 187 parking spaces, including seven (7) PWD spaces, plus three (3) internal parking bays within the MyCar Service Centre, equating to a total of 190 car parking spaces. Given the mixed use nature of the site, including varied operating hours and cross utilisation potential for the development, the proposed car parking number is considered appropriate.

The Traffic Impact Assessment also concludes that the proposed development continues to provide adequate site access and an appropriate site layout which enables servicing and refuse collection.

Please refer to the **Appendix G** for further information.

5. PROPOSED CHANGES TO MCU22/0033.04

As requested by Council, the following sections outline the specific amendments to the existing approval package (MCU22/0033.04) which are requested.

The following sections outline the suggested Conditions and Approved documents that are impact by the proposed changes.

5.1. AMENDMENTS TO APPROVED CONDITIONS

There are no conditions which have been identified as requiring amendment.

5.2. AMENDMENTS TO PLANS AND APPROVED DOCUMENTS

It is requested that the list of approved drawings and documents be updated to reflect the revised plans included in **Appendix F**.

6. OUTLINE OF STATE AND REGIONAL LEGISLATIVE FRAMEWORK AND ASSESSMENT

A summary assessment of the State and Regional planning frameworks as relevant to the proposed development is outlined in **Table 5** below.

Table 5 – Overview of State and Regional Planning Framework

Instrument/Assessment Benchmark	Date of Instrument	Assessment
<i>Planning Act 2016</i> (Planning Act)	10 June 2022	<p>This Change Application is made under section 78 and 82 of the Planning Act.</p> <p>In accordance with Section 82(2)(a) and s82(4) of the Planning Act, an ‘Other Change’ application is to be assessed if it were the original change application, with the changes included, but was made when the change application was made. Accordingly, the proposed change is to be assessed as if it were the original change application, lodged under the current local categorising instrument.</p> <p>The original development was assessed as a Code Assessable application. The changed development is identified as assessable development and under the current Plan of Development is subject to Impact Assessment. Accordingly, this Change Application is to be assessed in accordance with Section 45(5) of the Planning Act.</p>
<i>Development Assessment Rules 2020 Version 1.3</i> (DA Rules)	11 September 2020	The Development Assessment Rules is a statutory instrument made pursuant to Section 68(1) of the Planning Act.
<i>State Planning Policy</i> (SPP)	3 July 2017	<p>The SPP was introduced on 3 July 2017 as part of a new State planning system. The SPP defines the Queensland Government’s policies about matters of state interest in land use planning and development, and provides direction for the preparation of local planning instruments and assessment of change applications. The SPP also includes assessment benchmarks for some applications, if a planning scheme does not appropriately integrate the relevant state interest.</p> <p>The following SPP Overlays are applicable to the site:</p> <p>Biodiversity</p> <ul style="list-style-type: none"> – MSES - Regulated vegetation (category R)

Instrument/Assessment Benchmark	Date of Instrument	Assessment
		<ul style="list-style-type: none"> – MSES - Regulated vegetation (intersecting a watercourse) <p>Natural Hazards Risk and Resilience</p> <ul style="list-style-type: none"> – Flood hazard area - Level 1 - Queensland floodplain assessment overlay* – Flood hazard area - Local Government flood mapping area* <p>Strategic Airports and Aviation Facilities</p> <ul style="list-style-type: none"> – Wildlife hazard buffer zone – Height restriction zone 45m – Height restriction zone 90m – Aviation facility <p>No new overlay applies to the development as a result of a change to the application.</p> <p>The SPP contains assessment benchmarks that are expressed as performance outcomes for the purpose of development assessment. Importantly, these assessment benchmarks apply to the extent the SPP has not been identified in the <i>Planning Scheme</i> as appropriately integrated in the planning scheme. All State interests have been integrated into the Planning Scheme. An assessment of the proposed change against the state interest triggers is included in Appendix D.</p>
<p><i>State Development Assessment Provisions Version 3.0 (SDAP)</i></p>	<p>18 February 2022</p>	<p>The State Assessment and Referral Agency (SARA), introduced on 1 July 2013, seeks to deliver a coordinated, whole-of-government approach to the state’s assessment of Development Applications. The State Development Assessment Provisions (SDAP) is an outcome of the SARA and a statutory instrument made under the Act which sets out matters of interest of the state for development assessment, where the chief executive of administering the Act is the assessment manager or a referral agency.</p> <p>Importantly, the SDAP provide assessment benchmarks for the assessment by the chief executive or a referral agency and provides applicants with the opportunity to address performance criteria to demonstrate that a development appropriately manages any impacts</p>

Instrument/Assessment Benchmark	Date of Instrument	Assessment
		<p>on a matter of state interest, and/or protects a development from impacts of matters of state interests.</p> <p>SARA provides supporting mapping to assist in spatially representing policies and requirements contained within the SDAP.</p> <p>The mapping indicates the following SARA/SDAP Matters apply to the site:</p> <p>NQ Regional Plan Triggers</p> <ul style="list-style-type: none"> – Townsville urban area (NQ) <p>Fish Habitat Areas</p> <ul style="list-style-type: none"> – Queensland waterways for waterway barrier works <p>No new overlay applies to the development as a result of a change to the application.</p> <p>An assessment of the proposed development against the State Assessment criteria for the relevant referral agency role is included in Appendix D. This assessment revealed that the proposal does not require referral to SARA or any other advice agency.</p>
North Queensland Regional Plan (NQ Regional Plan)	March 2020	<p>The subject site is located within the Townsville urban area.</p> <p>When considering the nature of the proposal, the proposed Change Applicant accords with the objectives of the Townsville urban area.</p>

7. LOCAL PLANNING FRAMEWORK AND ASSESSMENT

7.1. TOWNSVILLE CITY PLAN

The *Townsville City Plan (Version 2022/02)* ('City Plan') is the current planning instrument used to assess development within the Townsville region. The following sections of this report assess the proposed changes against the relevant provisions of the City Plan.

7.2. STRATEGIC FRAMEWORK

Given this Change Application is subject to Impact Assessment, the application is required to be assessed against the City Plan as a whole, including the Strategic Outcomes in Part 3 of the City Plan.

The strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the Planning Scheme area for the duration of its currency period. The strategic framework outlines four (4) themes that collectively represent the policy intent of the scheme:

- Shaping Townsville;
- Strong, connective community;
- Environmentally sustainable future; and
- Sustaining economic growth.

The proposed development wholly aligns with the intent of the Strategic Framework themes and provides a considered outcome for the site.

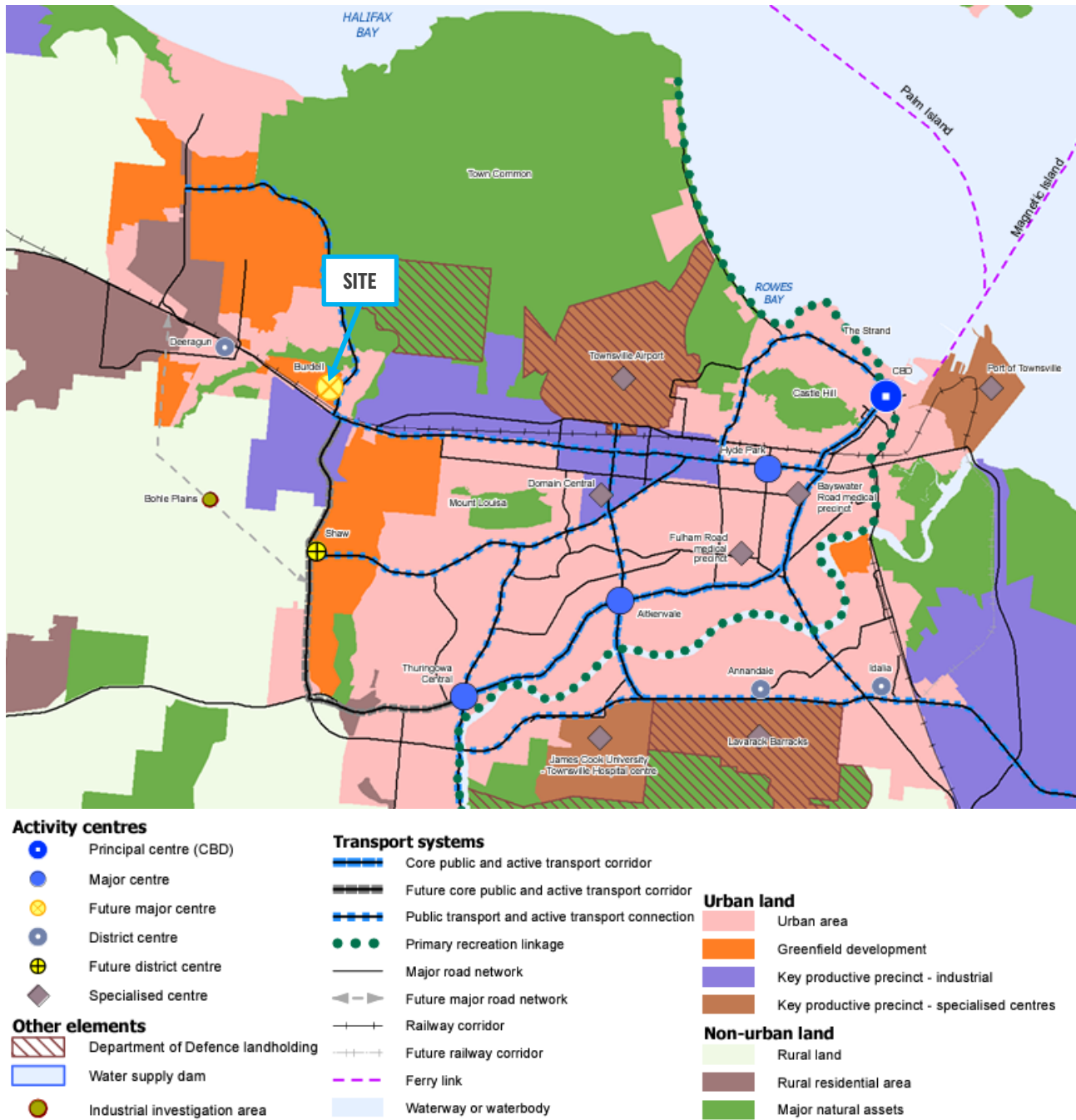
7.2.1. Shaping Townsville

Under Strategic Framework Map SFM-002, the site is identified within a greenfield development area. More specifically, it is identified as a Future Major Centre, as illustrated in **Figure 8** below. The proposed development has been designed in accordance with this designation, to ensure the development continues to provide a considered outcome for the site, and act as a future major centre within the locality.

The proposed change:

- Retains the CBD as the city's principle centre;
- Supports the new community of Burdell through providing a mix of land uses, designed to service both the local and wider community;
- Occurs within an existing urban area on a site dedicated for commercial purposes;
- Leverages existing infrastructure to provide an integrated mixed use precinct in an appropriate location;
- Provides for a diverse range of commercial facilities, that promote local employment and support the existing and emerging residential communities; and
- Continues to provide a high quality architectural outcome.

Figure 8 – Strategic Framework Map SFM-002 Extract



Source: Townsville City Plan

7.2.2. Strong, Connected Community

The proposed change continues to provide a considered outcome for the site. The change largely retains the approved layout and built form parameters, with the introduction of six (6) new land uses and a mezzanine level.

The proposal continues to provide a quality urban design outcome, which has considered Townsville’s tropical climate through the landscaping treatments that are included across the development site. The landscape design is intended to contribute to the broader public realm within proximity to the site.

The development maintains the existing and planned open space areas, providing a complementary commercial precinct, as envisaged by the City Plan.

The proposal continues to protect scenic amenity values and is designed to respond to all known constraints. Due to the site’s location and proposed outcomes, the proposed change is not anticipated to impact nearby

sensitive land uses. The site remains separated from existing residential uses, with the new land use being contained within the approved built form envelope.

7.2.3. Environmentally Sustainable Future

The site is relatively unconstrained and is not located within proximity to natural assets (wetland or the like). Nevertheless, the proposed development continues to provide for a sustainable development outcome on the site. The retention of landscaping throughout the site continues to provide an appropriate design response.

The proposal continues to protect land designated for industrial purposes and will not impact significant infrastructure (airport land or Department of Defence land).

7.2.4. Sustainable Growth

The proposed development positively contributes to the economic growth of Burdell. The development is designed in accordance with the centre hierarchy, to provide economic and employment growth within a Future Major Centre. The proposal aligns with the existing and project community spending patterns of the locality and will meet the needs of the rapidly growing community.

7.3. ZONING

The site is located in the Emerging Community Zone, within the Burdell Precinct.

However, the *North Shore Plan of Development* (PoD) is the relevant local planning assessment tool, which varies the effect of the Planning Scheme. Therefore, the Emerging Community Zoning of the site, identified by the City Plan, is superseded by the PoD.

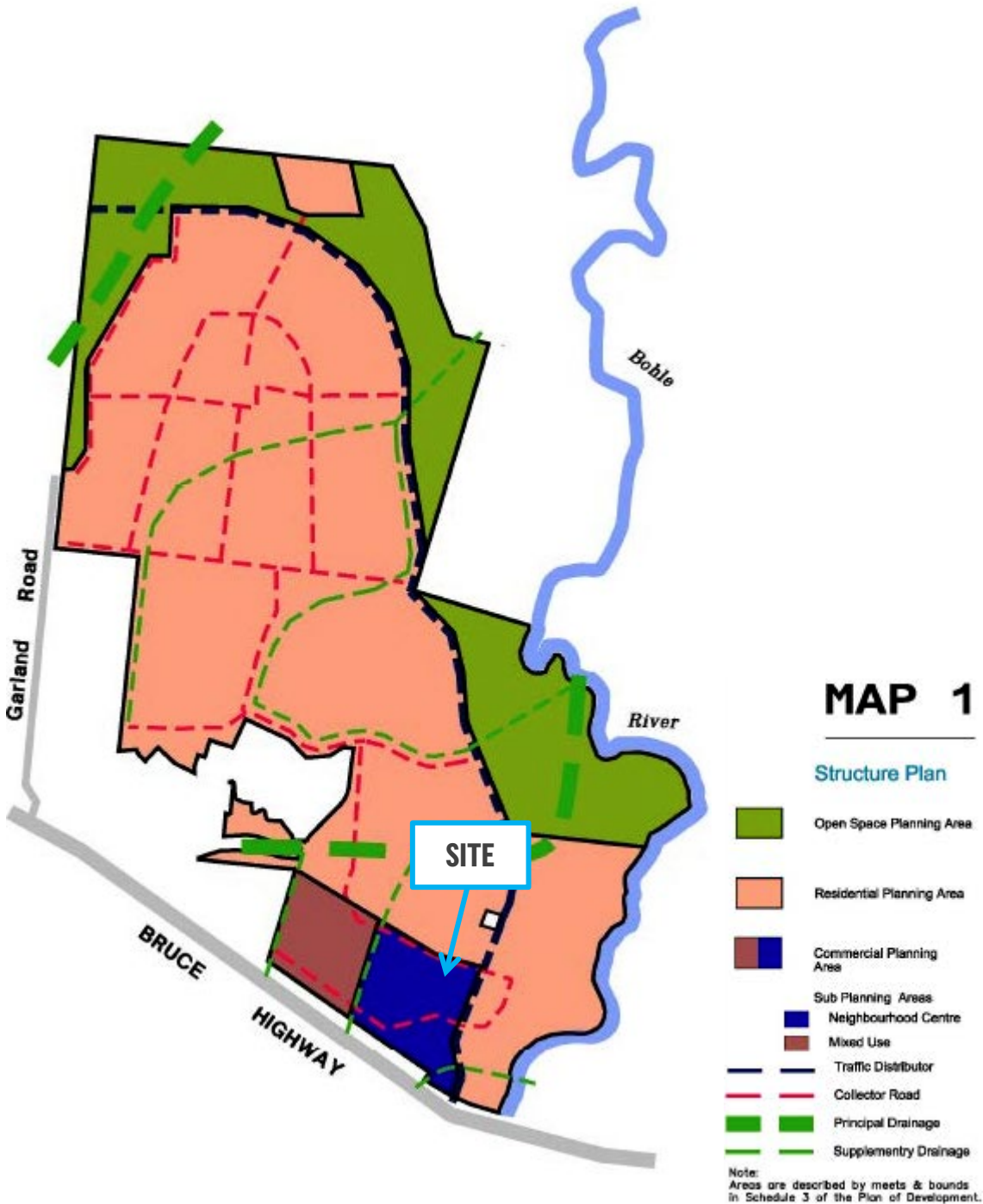
7.3.1. North Shore Plan of Development

The site is located within the *North Shore Plan of Development* (PoD). The PoD applies to all development within the Structure Plan area, shown in **Figure 9** below. The purpose of the PoD is to manage development within this area, through:

- (a) *identifying the structure plan area and the planning areas, the major roads forming part of the road hierarchy and major drainage paths within the structure plan area; and*
- (b) *identifying in respect of the planning areas within the structure plan area, assessment categories for development being exempt development, self-assessable development and assessable development; and*
- (c) *identifying in respect of the structure plan area, a structure plan area code for assessing assessable development; and*
- (d) *identifying in respect of the planning areas within the structure plan area, planning area codes for assessing self-assessable development and assessable development.*

The site is located in the Commercial Planning Area and the Neighbourhood Centre Sub-planning Area within the PoD. The level of assessment and assessment benchmarks identified as relevant to the proposed development by the PoD form the basis of the assessment of this application.

Figure 9 – Structure Plan Area



Source: North Shore Plan of Development

7.4. LAND USE DEFINITION

The PoD provides the following definitions for the six (6) proposed land uses:

Commercial Premises means –

premises used for:-

(a) the carrying on of the business of a bank, building society or the like;

(b) the carrying on of the business of insurance companies, insurance agents, financial advisers and the like;

(c) agencies, including airline agencies, advertising agencies, buying agents, customs agents, employment agencies, real estate agents, travel agents and the like;

(d) an office for providing professional services or the giving of professional advice by a person practising or carrying on a profession;

(e) the business premises of photo processing, coaching colleges, beauty parlours, hairdressers, judo tuition clubs and similar business purposes;

(f) the provision of health services or a health clinic; or

(g) any other business or professional purpose;

but not including;

(i) premises used for a business or commercial purpose where such use has the character of a shop or warehouse;

(ii) premises used for a purpose elsewhere defined in this planning scheme.

Indoor Entertainment means –

premises used for any indoor sport, form of athletics, activity, purpose, or pursuit which affords or is calculated to afford interest or amusement irrespective of whether or not food is provided and without limiting the generality of the foregoing, includes the uses in the Table hereunder.

TABLE
Billiard saloons
Bowling centres
Cabarets
Cinemas
Concert halls
Courts (indoor)
Cricket (indoor)
Dance halls
Discotheques
Exhibitions (indoor)
Formal sports (indoor)
Go-Kart Track (indoor)
Gymnasiums
Music halls
Public hall
Shooting galleries (indoor)
Skating rinks
Squash
Tennis (indoor)
Theatres
Trade fairs

The term includes any other use which in the opinion of the Council is of a like nature and which is not specifically defined elsewhere in this planning scheme. The term does not include the incidental use of a place of public worship or an educational establishment for any of the above purposes listed in that definition provided that such incidental use does not, in the opinion of the Council, cause nuisance or annoyance to persons or adversely affect property not associated with the use;

Medical Centre means –

any premises used or intended for use for the medical or paramedical care or treatment of persons on site but not resident on the site. The term includes premises used or intended for use by two or more of any of the following:

TABLE
Accupunturist
Chiropractor
Chiropodist
Dentist
Herbalist
Homoeopath
Tridologist
Medical Practitioner
Naturopath
Clinical Nurse
Occupational Therapist
Optometrist
Osteopath
Pharmacist
Physiotherapist
Podiatrist
Psychologist
Speech Therapist

The term includes premises used or intended for use of a pharmaceutical dispensary of less than 20 square metres in relation only to the filling of prescriptions written by Medical Practitioners on the premises.

The term does not include premises used or intended for use for the provision of Medical or Paramedical services lists above which are provided in conjunction with the sale of goods and/or products of a retail nature.

The term does not include a surgery, hospital or other commercial premises.

Shop means –

premises comprising a gross floor area of less than 600 square metres, used for the purpose of displaying or offering goods for sale to members of the public and may comprise one or more than one retailer or occupiers. The term includes pet and pet supplies sales, a bot bread shop, a video hire, a liquor barn facility (where not on the same site as an hotel) and the incidental storage of such goods on the same premises and does not include a Hardware Store.

The use may include, as an ancillary activity, the preparation and sale of foods for immediate consumption and the installation and use of up to three entertainment machines, but does not include a fast food outlet, restaurant, an hotel, a service station or warehouse.

Tyre Supply, Repair and Fitting means –

premises used for the display, sale, fitting and repair of tyres and equipment associated with motor vehicle suspension, brakes and steering components.

Vehicle Repair Workshop means –

premises used for repairing motor vehicles, caravans, trailers and other vehicles including mechanical repairs and overhauls, replacing and repairing of tyres, electrical repairs, but excluding body building, panel beating or spray painting.

7.5. STRUCTURE PLAN

The Structure Plan area provides specific land designations to land within the Structure Plan area. These designations act as the zoning, with each designation requiring varying levels of assessment and assessment benchmarks for development.

The site is located in the Commercial Planning Area within the Neighbourhood Centre Sub-planning Area. The specific Outcomes for the Commercial Planning Area:

1. *The commercial planning area is to be developed for a mixed use sub-area and a neighbourhood centre sub-area.*
2. *The commercial planning area is to be confined by defined boundaries which will control points of access and ensure separation from the residential planning area while maintaining a linkage between the adjoining neighbourhood centre sub-area and the mixed use sub-area.*
3. *The commercial planning area is to provide a transitional buffer from impacts along the national highway to the residential planning area to the north.*
4. *The mixed use sub-area is to be developed for uses that take advantage of its proximity to road and rail transport infrastructure and accessibility to regional catchments especially uses that would benefit from a high level of vehicular access, possible rail access and visual exposure to a national highway such as showrooms, warehouses, hardware stores, timber and building supplies and the like.*
5. *The neighbourhood centre sub-area is to be developed for a supermarket, a range of comparison and speciality retail uses and commercial uses.*
6. *The neighbourhood centre sub-area is to be developed to satisfy a public need that correlates with community spending patterns.*

The proposed development aligns with the intent of this zone and represents a mixed use development that will leverage off the site's location within the Structure Plan area. The proposed land use is foreseen by the PoD for this locality and for the site specifically.

An assessment of the proposed development against the aforementioned Specific Outcomes, as well as the Overall Outcomes for the Commercial Planning Area, are included in **Appendix E**.

7.6. CATEGORY OF ASSESSMENT

There are three categories of development under the Act. These are Accepted Development, Assessable Development and Prohibited Development.

The PoD, acting as the Categorising Instrument, determines the Category of Assessment of Development for the development is Assessable Development.

Under the North Shore Plan of Development (PoD):

1. *If an assessment category for development specified in the plan of development is contrary to an assessment category for development specified in a local planning instrument, **the assessment category for development in the plan of development shall prevail.***

7.6.1. Material Change of Use

The PoD determines the Category of Assessment for the Material Change of Use Application. **Table 2** below provides the category of assessment triggers for each of the proposed land uses.

Table 2 – Category of Assessment Triggers (for proposed new Land Uses)

Use	Category of Assessment
Commercial Premise	Code Assessable
Indoor Entertainment	Code Assessable

Use	Category of Assessment
Medical Centre	Code Assessable
Shop	Impact Assessable (subject to threshold trigger)
Tyre Supply, Repair and Fitting	Impact Assessable
Vehicle Repair Workshop	Impact Assessable

7.7. OVERLAYS

As the PoD does not address overlays, the overlays prescribed for the site by the Planning Scheme will be addressed by this application.

The following overlays are applicable to the site:

- Airport Environs Overlay
 - Operational airspace - Airspace more than 45m above ground level
 - Operational airspace - Airspace more than 90m above ground level
 - Wildlife hazard buffer zones and Public safety areas - Distance from airport runway - 8km
- Flood Hazard Overlay
 - Low hazard area
 - Medium hazard area

Assessment against the relevant overlay codes is provided in **Appendix E**.

7.8. ASSESSMENT BENCHMARKS

The following assessment benchmarks are considered relevant to the proposed changes in **Table 3** as follows:

Table 3 – Assessment Benchmarks Summary

Primary Codes	Prescribed Secondary Codes	Overlay Codes
<ul style="list-style-type: none"> ▪ Structure Plan Area Code ▪ Commercial Planning Area Code 	<ul style="list-style-type: none"> ▪ Healthy Waters Code ▪ Landscape Code ▪ Transport Impact, Access and Parking Code ▪ Works Code 	<ul style="list-style-type: none"> ▪ Airport Environs Overlay Code ▪ Flood Hazard Overlay Code

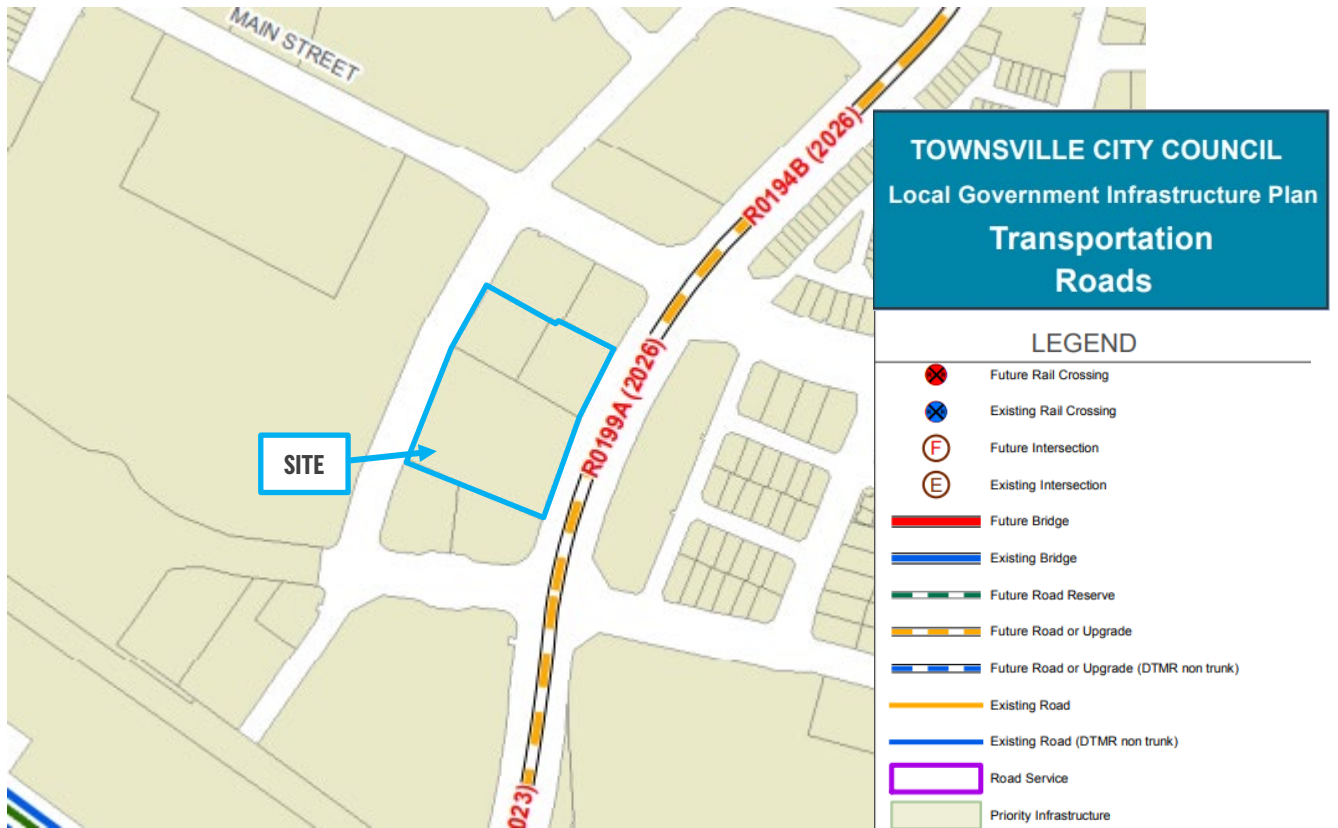
A comprehensive assessment of the proposed development against the primary, prescribed secondary and applicable overlay codes are attached in **Appendix E**. The proposal does not compromise the purpose of the primary or prescribed secondary codes.

7.9. LOCAL GOVERNMENT INFRASTRUCTURE PLAN

The Townsville Local Government Infrastructure Plan ('LGIP') forms part of Part 4 and Schedule 3 of the Townsville City Plan. The LGIP integrates and coordinates land use planning and infrastructure planning and ensures that trunk infrastructure is planned and provided in an efficient and orderly manner. The plans for trunk infrastructure do not identify any proposed new trunk infrastructure in the vicinity of the site.

The site adjoins Old North Road which is identified in the Townsville City Plan as subject to future trunk infrastructure for transportation (Reference: R0199A (2026)). However, the proposed changes do not involve any access arrangements via this road corridor.

Figure 10 – LGIP Mapping



Source: Townsville City Council Local Government Infrastructure Plan

8. OTHER RELEVANT MATTERS

Section 45 of the Act provides for the assessment matters for different categories of assessment. For an application subject to Impact Assessment, these matters are:

An impact assessment is an assessment that—

(a) must be carried out—

- (i) against the assessment benchmarks in a categorising instrument for the development; and*
- (ii) having regard to any matters prescribed by regulation for this subparagraph; and*

(b) may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

Examples of another relevant matter—

- *a planning need*
- *the current relevance of the assessment benchmarks in the light of changed circumstances*
- *whether assessment benchmarks or other prescribed matters were based on material errors*

This Change Application is subject to Impact Assessment, and therefore the assessment manager may carry out assessment against, or having regard to, relevant matters other than assessment benchmarks and matters prescribed by regulation.

We consider that there are other relevant matters which Council may have regard to in assessing the change application, as outlined below.

8.1. ECONOMIC BENEFITS

The proposal will continue to deliver key economic benefits through the delivery of jobs during the construction and operational phases of the development.

In order to foster economic growth into the future and to ensure Townsville remains a prosperous city, it is key to ensure that there is continued development and construction within the Local Government Area to maintain a pipeline to ensure continued economic growth.

The proposal, in conjunction with the existing approved development, will deliver substantial economic benefits through capital investment and the creation of jobs during the construction and operation phases.

8.2. SUITABILITY OF THE SITE

The site is ideally suited to accommodate the proposed mixed use development. The site benefits from a well-serviced and strategically positioned location surrounding the rapidly growing community of Burdell.

The site is ideally located to accommodate additional neighbourhood centre uses. The proposed uses provide essential services to the local community, bolstering the approved offering of the centre. Furthermore, the site's location ensures the proposal does not impede on land dedicated for further housing and residential development.

Burdell and the surrounding suburbs are experiencing rapid growth, which requires improved access to services. The site is located within walking distance from existing residential communities, which provides readily available essential services and employment opportunities to residents. This proximity positions the site as an ideal location for additional neighbourhood centre uses.

Despite the proximity, the site remains appropriately separated from sensitive land uses, limiting potential impacts on the amenity of these uses. Additionally, all mapped constraints on the site are suitably addressed through the previously approved design, which the proposal wholly retains.

8.3. CONSISTENCY WITH APPROVED BUILT FORM

The proposed changes are consistent with the existing development approvals over the site.

The proposal generally retains the built form approved over the site, including key built form parameters such as building height, setbacks and site cover. Additionally, the approved dense landscaping treatments are maintained throughout the site. The boulevard provided through the site remains unaffected by the proposal and continues to provide direct and convenient access through the site, both for vehicles and pedestrians.

The proposal enhances the mixed use nature of the development, thereby boosting the development's capacity to effectively cater to the needs of the community and fulfil the intended strategic vision for the site.

The additional neighbourhood centre uses, including MyCar Service Centre (Tyre Supply, Repair and Fitting and Vehicle Repair Workshop), can be found in many modern retail settings across the country. The proposed uses are not anticipated to have any amenity impacts across the site or on adjacent properties and the activity is located wholly indoors.

The introduction of the MyCar Service Centre (Tyre Supply, Repair and Fitting and Vehicle Repair Workshop) has been strategically designed in the context of the site to maintain the existing built form whilst locating the use in a suitable and practical location. Despite minor modifications to the north-eastern tenancy to facilitate this use, and an increase in GFA due to the proposed mezzanine level, the overall site layout remains largely unchanged.

9. CONCLUSION

Urbis Ltd, on behalf of *OneFin Burdell Pty Ltd*, has prepared this change application for Material Change of Use for Indoor Entertainment, Medical Centre, Shop, Tyre Supply, Repair and Fitting and Vehicle Repair Workshop to be established over the site at 30-38 North Shore Boulevard, 6-10 Market Street & 1/6 Market Street, Burdell. Specifically, the Change Application is for:

- Other Change to an Existing Development Approval (MCU22/0033.04) to include an additional land uses to the existing approval, being Commercial Premises, Indoor Entertainment, Medical Centre, Shop, Tyre Supply, Repair and Fitting and Vehicle Repair Workshop.

The proposal has been assessed against and is able to fulfil the requirements of all relevant statutory planning instruments. In this regard, it is noted that:

- The proposed development accords with the objectives, principles and overall intent of the NQ Regional Plan as the proposed development constitutes development within the Townsville Urban Area (NQ);
- The proposal generally accords within the requirements of the State Development Assessment Provisions (SDAP) and State Planning Policy (SPP);
- The proposed development involves the introduction of six (6) new uses and a mezzanine level within the approved Showroom. These proposed elements are tenant driven outcomes involving changes to the approved mixed use precinct;
- The proposal involves limited, if any, changes to the approved built form outcomes and therefore does not impact upon the community expectations for the mixed use precinct;
- The proposal further expands the mix of land uses within the precinct and increases the offering of services to the community and creation of job opportunities contributing to economic growth within Townsville.

As demonstrated by the assessment provided within this report, the proposed development complies with the outcomes sought by the *North Shore Plan of Development*, the Townsville City Plan and other relevant planning instruments. On the basis of the assessment contained within this report, Townsville City Council is requested to favourably consider the development proposal, subject to reasonable and relevant conditions.

DISCLAIMER

This report is dated 6 September 2024 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of *OneFin Burdell Pty Ltd (Instructing Party)* for the purpose of Town Planning Report (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A PROPERTY SEARCHES

APPENDIX B LAND OWNER'S CONSENT

APPENDIX C EXISTING DEVELOPMENT APPROVAL

APPENDIX D SDAP AND SPP CHECKLISTS

APPENDIX E ASSESSMENT BENCHMARK RESPONSES

APPENDIX F ARCHITECTURAL PLANS

APPENDIX G TRAFFIC IMPACT ASSESSMENT



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